

IN THE COUNTY COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 88- 21

RE: IMPLEMENTATION OF FLORIDA STATUTE CHAPTER 318.18(7)(b)

WHEREAS, Chapter ~~88-302~~, Laws of Florida, provides that Civil penalties may be satisfied through public works or community service where demonstrable financial hardship is shown, and

IN ORDER to provide for a uniform system for the implementation of this process, it is

ORDERED:

1) In any case in which civil penalties under Chapter 318 are to be paid, and where and when the person who owes a civil penalty so requests, the Clerk of the Court shall provide a Petition to Satisfy Civil Penalty through Public Works or Community Service Due to Financial Hardship as attached.

2) The person shall complete and return the affidavit to the Deputy Clerk.

3) On a weekly basis the Clerk shall present the Court file and the affidavit to the Court for disposition. No hearing shall be scheduled unless requested by the Court.

4) The Order on Petition to Satisfy Civil Penalties through Public Works or Community Service to be utilized in disposing of all such motions is attached.

5) The availability to satisfy civil penalties by public works or community service shall not be utilized in lieu of other fees or charges assessed by statute or rule. Nothing in this order shall prevent the Court from waiving the Clerk's fees.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida,
this 13th day of December, 1988

~~Philip A. Federico~~
Philip A. Federico
Chief Judge

cc: All Pinellas County Judges
State Attorney
Public Defender
Court Administrator
All Law Libraries

~~Patrick K. Caddell~~
Patrick K. Caddell
County Administrative Judge

IN THE COUNTY COURT, SIXTH JUDICIAL CIRCUIT
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PETITION TO SATISFY CIVIL PENALTY THROUGH
PUBLIC WORKS OR COMMUNITY SERVICE DUE TO FINANCIAL HARDSHIP

BEFORE ME, the undersigned authority, personally appeared Petitioner,
who was sworn and states:

1) Petitioner, _____, hereby
requests that the Court authorize Petitioner to satisfy civil penalties by
public works or community service at a prevailing hourly rate pursuant to
the provisions of Chapter 318.18(7)(b) of the Florida Statutes.

2) In support thereof, Petitioner alleges the following:

a) That my household, which consists of those individuals to
whom I am responsible for support includes _____ people.

b) That the gross annual income of the household including not
only my wages or income, but that of the other members of my household
from any and all sources, is _____.

c) That I currently owe civil penalties in the amount
of _____.

d) That to pay these civil penalties would create undue
financial hardship.

e) That I propose to satisfy civil penalties by performing
_____ hours of public works or community service at an hourly rate of
\$ _____ which is a reasonable compensation amount for the services I
will perform.

f) That _____ (Name of organization)
has agreed to supervise my work and is in need of my services as
a(n) _____.

To the best of my knowledge and belief the above information is true
and correct.

Petitioner

STATE OF FLORIDA

COUNTY OF PINELLAS

SWORN TO AND SUBSCRIBED before
me this _____ day of _____, 19__.

Notary Public - State of Florida

My Commission expires:

IN THE COUNTY COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA

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ORDER ON PETITION TO SATISFY
CIVIL PENALTIES THROUGH PUBLIC WORKS OR COMMUNITY SERVICE

THIS CAUSE having come upon the Petition to Satisfy Civil Penalties through Public Works or Community Service, and the Court having considered the Petition of the above referenced individual, it is

ORDERED:

/___/ That the request is hereby DENIED.

/___/ That the request is hereby APPROVED. Public works or community service shall be performed for such a period of time equal to the civil penalty at the hourly rate as petitioned and shall be completed within ninety (90) days of the date of this Order. Upon completion of said services, the above referenced individual shall bring an affidavit, in a form substantially similar to that form affidavit provided by the Clerk of Court, to the Clerk of the Court and request that civil penalties be formally satisfied. Upon the Petitioner's failure to provide this affidavit within ninety (90) days, the Clerk shall take such action as is required to suspend Petitioner's driver's license pursuant to Florida law. This authorization shall not be interpreted to waive any fees due and payable to the Department of Highway and Motor Vehicle Safety or the Clerk of the Court pursuant to applicable statutory or rule provisions.

DONE AND ORDERED in Chambers at _____, Pinellas County, Florida, this _____ day of _____, 19__.

COUNTY JUDGE